

**Subject:** Re: Fw: Letter of concern regarding groundwater report - See Jeff's email exchange below  
**To:** CN=Jennifer MacDonald/OU=R10/O=USEPA/C=US@EPA  
**Cc:** CN=Thomas Eaton/OU=R10/O=USEPA/C=US@EPA CN=Sheila Fleming/OU=R10/O=USEPA/C=US@EPA Cox.Michael@epa.gov Winiecki.Eric@epa.gov CN=David Allnutt/OU=R10/O=USEPA/C=US@EPA  
**From:** CN=Marie Jennings/OU=R10/O=USEPA/C=US  
**Submit Time:** 11/13/2012 21:58:34

Jennifer

Many thanks for your edits. Mark M. just reminded me of the email exchange between Leah Beth and Jeff Philip. Below is what was actually said in that exchange.

We will be issuing an errata sheet for the report at the end of the public input period. In that errata sheet we plan on addressing your letter with this entry.

**Section I. Introduction, fourth paragraph** is changed as follows:

In October 2008, the *Yakima Herald Republic* ran a series of articles titled "Hidden Wells, Dirty Water" that examined a long history of groundwater contamination affecting public and private drinking water wells, primarily in the Lower Yakima Valley. The reporter sent a letter ***asking "Would EPA consider invoking emergency authority under Section 1431 of the Safe Drinking Water Act to address the problem?"*** Section 1431 (42 U.S.C. § 300i) authorizes EPA to take action when, among other things, a contaminant is present or may enter a public water system or underground source of drinking water that may present an imminent and substantial endangerment to human health.

We would be happy to include a comment in the record (along with the other comments that we receive on the report of the study) if you would like to provide such a comment clarifying your intent in relation to your 2008 letter to EPA.

S. Marie Jennings  
Manager, Drinking Water Unit  
206-553-1893

Jennifer MacDonald---11/13/2012 12:18:40 PM---Here is my proposed revision of the letter that you drafted, Marie. See what you think and let's di

From: Jennifer MacDonald/R10/USEPA/US  
To: Marie Jennings/R10/USEPA/US@EPA  
Cc: Thomas Eaton/R10/USEPA/US@EPA, Sheila Fleming/R10/USEPA/US@EPA, Cox.Michael@epa.gov, Winiecki.Eric@epa.gov, David Allnutt/R10/USEPA/US@EPA  
Date: 11/13/2012 12:18 PM  
Subject: Re: Fw: Letter of concern regarding groundwater report

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Here is my proposed revision of the letter that you drafted, Marie. See what you think and let's discuss at 4:15 today.

[attachment "Yakima Herald letter to Crider v2.docx" deleted by Marie Jennings/R10/USEPA/US]

I am working at home today - Personal Privacy/ Ex. 6  
-Jennifer  
206-553-8311  
MacDonald.Jennifer@epa.gov

Marie Jennings---11/13/2012 10:25:36 AM---Attached is the rough draft that I put together. We do have to respond back and you all have already

From: Marie Jennings/R10/USEPA/US  
To: Jennifer MacDonald/R10/USEPA/US@EPA  
Cc: Thomas Eaton/R10/USEPA/US@EPA, Sheila Fleming/R10/USEPA/US@EPA, Cox.Michael@epa.gov, Winiecki.Eric@epa.gov  
Date: 11/13/2012 10:25 AM  
Subject: Re: Fw: Letter of concern regarding groundwater report

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Attached is the rough draft that I put together. We do have to respond back and you all have already provided good thoughts via email. I also attached the Yakima herald letter for convenience. I will send out a meeting notice for 4:15pm today. Also, discussed with Mark MacIntyre this morning. I would like to share draft with him after I have incorporated your edits.

[attachment "Yakima Herald letter to Crider.docx" deleted by Jennifer MacDonald/R10/USEPA/US]  
[attachment "EPA letter 11912.docx" deleted by Jennifer MacDonald/R10/USEPA/US]

S. Marie Jennings  
Manager, Drinking Water Unit  
206-553-1893

Jennifer MacDonald---11/13/2012 08:30:36 AM---Or at least include this comment and our response in a response to comment document, clarifying this

From: Jennifer MacDonald/R10/USEPA/US  
To: Thomas Eaton/R10/USEPA/US@EPA  
Cc: Marie Jennings/R10/USEPA/US@EPA, Sheila Fleming/R10/USEPA/US@EPA, Cox.Michael@epa.gov, Winiecki.Eric@epa.gov  
Date: 11/13/2012 08:30 AM  
Subject: Re: Fw: Letter of concern regarding groundwater report

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Or at least include this comment and our response in a response to comment document, clarifying this issue. Deliberative Process - Attorney Client/ Ex. 5 Let's discuss the letter issue when we talk at 4:15 today.

-Jennifer  
Jennifer G. MacDonald, Asst. Regional Counsel

U.S. Environmental Protection Agency, Region 10  
1200 Sixth Avenue, Suite 900  
Seattle, Washington 98101  
206-553-8311  
MacDonald.Jennifer@epa.gov

Thomas Eaton---11/13/2012 08:22:06 AM---In short, I would recommend that

Deliberative Process - Attorney Client/ Ex. 5

**Deliberative Process - Attorney Client/ Ex. 5**

From: Thomas Eaton/R10/USEPA/US  
To: Marie Jennings/R10/USEPA/US@EPA  
Cc: Sheila Fleming/R10/USEPA/US@EPA, Cox.Michael@epa.gov,  
macdonald.jennifer@epa.gov, Winiecki.Eric@epa.gov  
Date: 11/13/2012 08:22 AM  
Subject: Re: Fw: Letter of concern regarding groundwater report

In short, I would recommend that

**Deliberative Process - Attorney Client/ Ex. 5**

**Deliberative Process - Attorney Client/ Ex. 5**

Tom Eaton  
Director  
Washington Operations Office  
USEPA, Region 10  
360-753-8086

Marie Jennings---11/13/2012 08:15:58 AM---Hi Tom 4:15pm works for me. I also have a call into Leah Beth.

From: Marie Jennings/R10/USEPA/US  
To: Thomas Eaton/R10/USEPA/US@EPA  
Cc: Sheila Fleming/R10/USEPA/US@EPA, Cox.Michael@epa.gov,  
macdonald.jennifer@epa.gov, Winiecki.Eric@epa.gov  
Date: 11/13/2012 08:15 AM  
Subject: Re: Fw: Letter of concern regarding groundwater report

Hi Tom

4:15pm works for me. I also have a call into Leah Beth.

S. Marie Jennings  
Manager, Drinking Water Unit  
206-553-1893

Thomas Eaton---11/13/2012 07:24:07 AM---I have some time this morning and at the end of the day (after 4:15) Tom Eaton

From: Thomas Eaton/R10/USEPA/US  
To: Sheila Fleming/R10/USEPA/US@EPA  
Cc: Marie Jennings/R10/USEPA/US@EPA, Cox.Michael@epa.gov,  
macdonald.jennifer@epa.gov, Winiecki.Eric@epa.gov  
Date: 11/13/2012 07:24 AM  
Subject: Re: Fw: Letter of concern regarding groundwater report

I have some time this morning and at the end of the day (after 4:15)

Tom Eaton  
Director  
Washington Operations Office  
USEPA, Region 10  
360-753-8086

Sheila Fleming---11/09/2012 04:33:37 PM---Let's. Tom, when are you available? I couldn't find any open time on your calendar next week. Sheil

From: Sheila Fleming/R10/USEPA/US  
To: Marie Jennings/R10/USEPA/US@EPA  
Cc: Cox.Michael@epa.gov, eaton.thomas@epa.gov, macdonald.jennifer@epa.gov, Winiecki.Eric@epa.gov  
Date: 11/09/2012 04:33 PM  
Subject: Re: Fw: Letter of concern regarding groundwater report

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Let's. Tom, when are you available? I couldn't find any open time on your calendar next week.  
**Sheila**

Sheila Fleming, P.E.  
Risk Evaluation Unit Manager  
U.S. Environmental Protection Agency  
Office of Environmental Assessment  
1200 Sixth Avenue, Suite 900, M/S OEA-095  
Seattle, Washington 98101

Office: 206.553-1417  
Mobile: 206.303.8126

Marie Jennings---11/09/2012 03:36:26 PM---Let's Discuss. Thanks! S. Marie Jennings Manager,  
Drinking Water Unit

From: Marie Jennings/R10/USEPA/US  
To: macdonald.jennifer@epa.gov, eaton.thomas@epa.gov, fleming.sheila@epa.gov, Cox.Michael@epa.gov, Winiecki.Eric@epa.gov,  
Date: 11/09/2012 03:36 PM  
Subject: Fw: Letter of concern regarding groundwater report

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Let's Discuss. Thanks!

S. Marie Jennings  
Manager, Drinking Water Unit  
206-553-1893

----- Forwarded by Marie Jennings/R10/USEPA/US on 11/09/2012 03:35 PM -----

From: Bob Crider <bcrider@yakimaherald.com>  
To: Marie Jennings/R10/USEPA/US@EPA  
Cc: Leah Beth Ward <lward@yakimaherald.com>, Craig Troianello <ctroianello@yakimaherald.com>  
Date: 11/09/2012 02:01 PM  
Subject: Letter of concern regarding groundwater report

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Ms. Jennings.

Please see the attached letter. I am mailing off a signed hard copy of it today.

If have any questions, please don't hesitate to ask.

Regards,

Bob Crider, Editor  
Yakima Herald-Republic  
114 N. Fourth St.  
Yakima, WA 98901  
(509) 577-7703  
bcrider@yakimaherald.com

[attachment "EPA letter 11/9/12.docx" deleted by Thomas Eaton/R10/USEPA/US]